

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

REX OSEI ADDO,

Plaintiff,

v.

SIX UNKNOWN NAMED AGENTS, et al.,

Defendants.

Case No. C13-1955-JCC-BAT

**REPORT AND  
RECOMMENDATION**

Plaintiff is a pro se prisoner in Alabama who repeatedly files the same complaint. Although the complaint names “Rex Addo” as the plaintiff, the complaint is unsigned, contains handwriting identical to § 1983 complaints Young Yil Jo has filed, and repeats the same allegations Mr. Jo has made in his past § 1983 complaints. In fact, on the same day this complaint was filed, Mr. Jo filed a very similar complaint in C13-1906-MJP. Thus it appears the present complaint is yet another action brought by Mr. Jo. Mr. Jo has submitted over 15 similar § 1983 complaints this year without paying the filing fee or submitting an IFP application and has more than three **STRIKES** against him. Like the complaints he filed in the past, the present complaint was submitted without an IFP application or filing fee. The Court recommends **DISMISSING** the matter with prejudice, and further recommends that the dismissal be deemed a **STRIKE**.

1 Since 2011, Mr. Jo (or using the name of another prisoner) has submitted essentially  
2 identical complaints in case numbers C11-1963-RSM, C11-2013-RSL, C11-2121-JLR, C11-  
3 2159-JLR, C12-04-TSZ, C12-76-JLR , C12-77-RSL, C12-76-JLR, C12-420-RSL, C12-1328-  
4 RAJ, C12-606-JCC, C12-1531-JLR, C12-1858-RAJ, C12-2061-RSM, C12-2219-MJP, C13-126-  
5 TSZ; C13-142-TSZ; C13-298-RSM; C13-915-JCC; C13-947-RSL; C13-991-RSL; C13-1297-  
6 RAJ; C13-1296-RAJ; C13-1759-RSL; C13-1598-MJP; C13-1759-RSL; C13-1906-MJP; and  
7 C13-1961-JLR. In each case, Mr. Jo made no attempt to pay the filing fee or apply for IFP  
8 status. In each case the proposed complaint contained the same incomprehensible allegations  
9 and failed to set forth facts sufficient to state a claim for relief; further none of the complaints  
10 showed venue was proper. *See* Dkt. 1. At least five prior cases, C12-77-RSL, C11-2159-JLR,  
11 C12-420-RSL, C13-126-TSZ, and C13-991-RSL were dismissed and were deemed to constitute  
12 a strike.

13 Accordingly, the Court recommends **DISMISSING** the case with prejudice under 28  
14 U.S.C. §§ 1915(e)(2)(B)(i)-(ii) and 1915A(b)(1) because the complaint fails to state a claim upon  
15 which relief may be granted and is frivolous. The Court further recommends the dismissal  
16 constitute a **STRIKE** for purposes of 28 U.S.C. § 1915(g). If the recommendation is adopted,  
17 the issue of whether *in forma pauperis* status should be granted is moot.

18 If plaintiff objects to this Recommendation, he must file objections, limited to five pages,  
19 by **November 14, 2013**. The Clerk should note this matter for **November 15, 2013**, as ready for  
20 the District Judge's consideration. The failure to timely object may affect the right to appeal. A  
21 proposed Order accompanies this Report and Recommendation. The Clerk is directed to provide

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1 a copy of order to plaintiff and to the Honorable John C. Coughenour.

2 DATED this 1<sup>st</sup> day of November, 2013.

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5 BRIAN A. TSUCHIDA  
6 United States Magistrate Judge  
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